

### **III. REMARKS**

Claims 1, 2, 4-5, 7, 9-10, 12, 14 are pending in this application. By this amendment, claims 16-21 are cancelled. Applicant is not conceding in this application that those claims are not patentable over art cited by the Examiner, as the present claim amendments and cancellations are for facilitating expeditious allowance of the claimed subject matter. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Advisory Action, claims 1, 2, 4, 5, 7, 9, 10, 12 and 14 are allowed, while claims 16-21 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Rooney (‘Intelligent Resource Director’, 2002), hereinafter “Rooney” in view of Buttlar (“z/CECSIM: An Efficient and Comprehensive Microcode Simulator for the IBM eServer z900”, 2002), hereinafter “Buttlar.” Applicant respectfully asserts that the claims are in condition for allowance.

Applicant respectfully submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Examiner’s interpretation of the claimed subject matter or the references used in

rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Examiner's analysis, combinations, and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Examiner's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

/Matthew B. Pinckney/

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